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12 Attorneys for Plaintiff

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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 UNITED STATES OF AMERICA,) CR No.3-12-71212
18 Plaintiff,)
19 v.)
20 GRACIELA QUINONEZ RIVERA,)
21 Defendant.)
22 _____)

23 **STIPULATION AND [PROPOSED]
24 ORDER CHANGING HEARING DATE
25 AND EXCLUDING TIME**

26 The date for a preliminary hearing or arraignment in this matter is currently set on
27 November 30, 2012. The parties hereby stipulate to set the preliminary hearing or arraignment
28 date on December 14, 2012, and they request that the Court extend the time limits provided by
Federal Rule of Criminal Procedure 5.1(c) and 18 U.S.C. § 3161. This extension of time is
necessary for the parties to explore possible pre-indictment resolution and for effective
preparation of counsel, as a new attorney will be taking over and representing the defendant.

Pursuant to Rule 5.1(d), the defendant and the government consent to the extension of
time, and the parties represent that good cause exists for this extension, including the effective
preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). For the same reasons, the parties also

1 request that the Court exclude from the time limits of 18 U.S.C. § 3161 the period from the date
2 of this Order through December 14, 2012. The parties also agree that the ends of justice served
3 by granting such an exclusion of time outweigh the best interests of the public and the defendant
4 in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

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6 SO STIPULATED:

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MELINDA HAAG
United States Attorney

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DATED: November 27, 2012

9

/s/
KATIE BURROUGHS MEDEARIS
Assistant United States Attorney

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DATED: November 27, 2012

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/s/
RANDY SUE POLLOCK
Attorney for GRACIELA QUINONEZ RIVERA

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[PROPOSED] ORDER

15 For the reasons stated above, the Court sets December 14, 2012, as the date for the
16 arraignment or preliminary hearing. The Court finds that extension of time limits applicable
17 under Federal Rule of Criminal Procedure 5.1(c) from the date of this Order through December
18 14, 2012, is warranted; that exclusion of this period from the time limits applicable under 18
19 U.S.C. § 3161 is warranted; that the ends of justice served by the continuance outweigh the
20 interests of the public and the defendant in the prompt disposition of this criminal case; and that
21 the failure to grant the requested exclusion of time would deny counsel for the defendant and for
22 the government the reasonable time necessary for effective preparation of counsel, taking into
23 account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C.
24 §3161(h)(7)(B)(iv).

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26

IT IS SO ORDERED.

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DATED: November 29, 2012

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HON. LAUREL BEELER
United States Magistrate Judge

1 MELINDA HAAG (CABN 132612)
2 United States Attorney

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16 SAN FRANCISCO DIVISION

17 UNITED STATES OF AMERICA,) CR No. 3-12-71212
18 Plaintiff,)
19 v.) STIPULATION AND [PROPOSED] ORDER
20 GRACIELA QUINONEZ RIVERA,) CHANGING HEARING DATE AND
21 Defendant.) EXCLUDING TIME
22
23 Date: November 27, 2012
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ATTESTATION OF FILER

20 In addition to myself, the other signatory to this document is Randy Sue Pollock. I certify
21 that I have her permission to enter a conformed signature on her behalf and to file.

23 Respectfully submitted,

24 MELINDA HAAG
25 United States Attorney

26 _____/s/_____
27 KATIE BURROUGHS MEDEARIS
28 Assistant United States Attorney

ATTESTATION OF FILER
CR 3-12-71212